

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CF 135 FLAT LLC, CF 135 WEST MEMBERS
LLC, and THE CHETRIT GROUP, LLC,

Interpleader Plaintiffs,

-against-

TRIADOU SPV S.A. and CITY OF ALMATY, a
foreign city,

Interpleader Defendants.

No. 15-CV-05345(AJN)

CITY OF ALMATY, KAZAKHSTAN and BTA
BANK JSC,

Crossclaim Plaintiffs,

-against-

MUKHTAR ABLYAZOV, VIKTOR
KHRAPUNOV, ILYAS KHRAPUNOV, and
TRIADOU SPV S.A.,

Crossclaim Defendants.

**NOTICE OF MOTION TO DISMISS THE CROSSCLAIMS
AGAINST VIKTOR AND ILYAS KHRAPUNOV**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated August 17, 2016 and the accompanying Declaration of John P. Curley and its exhibits, Crossclaim Defendants Viktor and Ilyas Khrapunov (the “Khrapunovs”), by their attorneys, Hoguet Newman Regal & Kenney, LLP, will respectfully move this Court, before the Honorable Alison J. Nathan, at the United States District Court for the Southern District of New York located at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY

10007, for an Order pursuant to Rule 12 of the Federal Rules of Civil Procedure granting the Khrapunovs' motion to dismiss the City of Almaty's and BTA Bank JSC's Crossclaims, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's July 25, 2016 Order, the City of Almaty's and BTA Bank JSC's opposition papers, if any, are to be served on or before September 16, 2016, and the Khrapunovs' reply papers are to be served on or before September 30, 2016.

Dated: New York, New York
August 17, 2016

HOGUET NEWMAN REGAL & KENNEY, LLP

By: /s/ John P. Curley
John P. Curley

10 East 40th Street
New York, NY 10016
Phone: 212-689-8808

Counsel for Viktor and Ilyas Khrapunov